

**Northwest Air Data Exchange
Vendor Questions
December 7, 2005**

Note to Vendors: We have received a transcription of the pre bid conference. The tape, and thus the transcribed version are not clear in some parts of our conversation. If we have not answered a question that you believed was asked please let the RFP administrator know. She will be happy to answer. The RFP Coordinator will be on vacation 12/20/05 through 1/2/05. For this time period only, Vendors may email questions to Sean Lundblad at slun461@ecy.wa.gov.

Q: Can Ecology specify in its RFP that vendors must use a Microsoft .NET framework or be excluded from competition?

A: Ecology may include specifications in a contract that are reasonable and are freely bargained for. In the case of a state agency, contract specifications set forth in an RFP must not be arbitrary and capricious. The .NET framework specification in the RFP is based on Ecology's adoption of the .NET framework as agency standard, and on the position that the .NET framework, being relatively recent, is preferred because it will remain current longer than older software, which is prone to obsolescence. Accordingly, Ecology has a rational basis for specifying the .NET framework, and the specification is not arbitrary and capricious.

Ecology will consider the Requirement 3.1.4 Acceptable Programming Languages to be modified as follows:

Applications must be written using Microsoft Visual Studio (Visual Basic 6.0/ASP 3.0 or other appropriate Microsoft product) or the Microsoft .NET framework. C#.NET and ASP.NET are preferred; VB.NET is acceptable. Beta versions must not be used. Describe the software application development framework you will use that satisfies this requirement.

This element will remain a mandatory requirement.

Scoring of Requirement 3.1.4:

- Vendor's applications must conform to the requirement or be considered non-responsive.
- Ecology will score this element as described in the RFP Section 1.16.1.3. (i.e., the way it will score all other elements).
- Additionally, Section 1.16.1.3 of the RFP states, "A maximum of 50 points may be earned for unforeseen options not identified in the system requirements that add to the overall functionality and usability of the system." Ecology will award up to 30 points of the "Value Added" points to vendors who currently have a .NET implementation and propose it for Ecology's use.

Q: Section 45 of the model contract lists a variety of insurance policy vendors may be required to purchase. Will vendors bidding on this proposal be required to purchase any of these insurance policies?

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A: Vendors are not required to purchase any of the policies listed in Section 45.

Q: *Section 2.7.1—Letter of Submittal* requires a Letter of Credit be submitted with the vendor's proposal. This would be very expensive to purchase and the cost would be passed on to Ecology. Will Ecology consider removing this requirement?

A: Ecology will remove the Letter of Credit requirement for Section 2.7.1.

Q: Please provide more information regarding the NWADES project budget? How much money does Ecology actually have for this acquisition?

A: Ecology received a \$750,000 grant from EPA. So far, Ecology has spent \$40,000. Ecology must complete the entire project for \$750,000 including providing XML data to the EPA AQS system. This includes purchasing the necessary hardware and software licenses (database, communication, web server, etc.), data loggers, telecommunication equipment (modems, routers, etc.) and what ever else is needed to have a functional system. Vendors may assume that Ecology can purchase standard hardware (servers, PC's) and Microsoft and other software at a 25% reduction.

Maintenance costs should be included in the proposal, but will not be paid for with the EPA grant dollars.

Q: Can you better explain the rationale for the time limit of Oct 2006?

A: EPA assigned the grant period to be two-years in length. Ecology received the grant in September 2004 so the grant period expires at the beginning of October 2006. In the past EPA, has be very lax about renewing grants, but this year, after determining it had millions of dollars in incomplete grants (federal dollars just sitting in state/local coffers) it has become very stringent and has stated that it will not extend grants, especially at the last minute. We will apply for an extension in the next few months and chances are we will get it as we are making steady progress. We are working with our regional EPA liaison on a strategy to accomplish this. Requests must be made to EPA HQ. While we think we can get a extension, we do not know that we can. And since state law prohibits us from paying for items/services we have not received, we have to have the system in-hand by October 2006 deadline